



Whereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

On June 13, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: 
Anna C. Kundel

JFW 
PATENT

Docket No.: 015358-005210US
Client Ref. No.: AP-98-262 A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gregory Wolff

Application No.: 10/697,606

Filed: October 29, 2003

For: SYSTEM FOR DISTRIBUTING,
INSTALLING, AND RUNNING WEB
APPLICATIONS (AGENTS)

Examiner: Not Yet Assigned

Art Unit: 2154

PETITION TO ASSERT PROOF OF
FILING OF FIGURE 1 WITH
APPLICATION ON OCTOBER 29, 2003,
AND REQUEST FOR REFUND

06/16/2005 BABRAHA1 00000048 201430 10697606
01 FC:1462 400.00 DA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

By Notice of Omitted Item(s) in a Non-Provisional Application mailed May 12, 2005, the U.S. Patent Office states that Figure 1, described in the specification, was omitted from the application as filed, and that only five sheets of drawings were received. Applicant respectfully disagrees with this statement and asserts that Figure 1 was deposited with the application on October 29, 2003.

The undersigned asserts that the application was submitted on October 29, 2003, with six sheets of informal drawings attached to the specification, and six sheets of formal drawings attached to the Preliminary Amendment. The specification and six sheets of informal drawings were taken directly from the originally filed specification and drawings from parent Application No. 09/314,614. The six sheets of formal drawings were included with the Preliminary Amendment as the informal drawings did not comply

Gregory Wolff
Application No.: 10/697,606
Page 2

PATENT

with U.S. Patent Office drawings rules. The attached six sheets of formal drawings were also submitted in the parent application.

As proof of the deposit of Figure 1, Applicant attaches a copy of the Utility Application Transmittal (Form PTO/SB/05), filed on October 29, 2003, which shows that six sheets of drawings were included at Section No. 4 of the Transmittal. Further, Applicant indicated that six sheets of formal drawings were included at Section No. 17 of the Transmittal.

Also enclosed, please find a copy of the date-stamped postcard, which indicates that six sheets of informal drawings and six sheets of formal drawings were included with the application. Further, upon mailing, each section was checked off to indicate that the materials were included in the application. The U.S. Patent Office indicated receipt of all listed documents by placing its date-stamp on the return postcard.

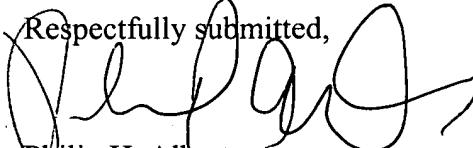
For your convenience, Applicant is including a copy of the six sheets of formal drawings, as filed on October 29, 2003, with this Petition.

CONCLUSION

In view of the foregoing, it is respectfully requested that Figure 1 be accepted as filed with the application on October 29, 2003.

Because this Petition was not necessitated by any error or omission by Applicant, it is respectfully requested that the fee for this Petition be refunded to Deposit Account No. 20-1430.

This Petition is submitted in duplicate.

Respectfully submitted,

Philip H. Albert
Reg. No. 35,819

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
PHA:ack
60512044 v1

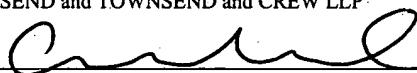
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

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Docket No.: 015358-005210US
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Examiner: Not Yet Assigned

Art Unit: 2154

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Application No.: 10/697,606
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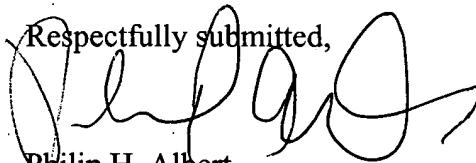
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Tel: (415) 576-0200
Fax: (415) 576-0300
PHA:ack
60512044 v1



PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL
(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	
Filing Date	
First Named Inventor	Wolff, Gregory
Art Unit	
Examiner Name	
Attorney Docket Number	015358-005210US

Enclosed is a petition filed under 37 CFR §1.182 that requires a processing fee (37 CFR 1.17(f)). Payment of \$ 400 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see or PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 20-1430:
 petition fee under 37 CFR 1.17(f), (g) or (h) any deficiency of fees and credit of any overpayments
Enclose a duplicative copy of this form for fee processing.

Check in the amount of \$ _____ is enclosed.

Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.53(e) - to accord a filing date.
§ 1.57(a) - to accord a filing date.
✓ § 1.182 - for decision on a question not specifically provided for.
§ 1.183 - to suspend the rules.
§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 - for access to an assignment record.
§ 1.14 - for access to an application.
§ 1.47 - for filing by other than all the inventors or a person not the inventor.
§ 1.59 - for expungement of information.
§ 1.103(a) - to suspend action in an application.
§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
§ 1.295 - for review of refusal to publish a statutory invention registration.
§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
§ 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
§ 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
§ 5.12 - for expedited handling of a foreign filing license.
§ 5.15 - for changing the scope of a license.
§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.
§ 1.84 - for accepting color drawings or photographs.
§ 1.91 - for entry of a model or exhibit.
§ 1.102(d) - to make an application special.
§ 1.138(c) - to expressly abandon an application to avoid publication.
§ 1.313 - to withdraw an application from issue.
§ 1.314 - to defer issuance of a patent.

Signature

Philip H. Albert

Typed or printed name

6/18/05

Date

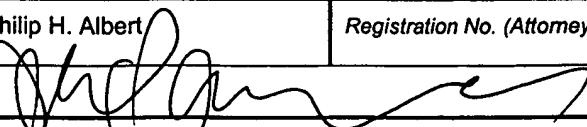
35,819

Registration No., if applicable

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	015358-005210US
First Inventor	Wolff, Gregory
Title	SYSTEM FOR DISTRIBUTING, INSTALLING, AND RUNNING WEB APPLICATIONS (AGENTS)
Express Mail Label No.	EV 330859697 US

APPLICATION ELEMENTS		ADDRESS TO	
<p>See MPEP chapter 600 concerning design patent application contents.</p> <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 11] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C.113) [Total Sheets 6]</p> <p>5. Oath or Declaration [Total Pages 1] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed) i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>		<p style="text-align: center;">Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper number of pages</p> <p>c. <input type="checkbox"/> Statements verifying identity of above copies</p>	
ACCOMPANYING APPLICATIONS PARTS			
<p>9. <input checked="" type="checkbox"/> Assignment Papers (from parent)</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input checked="" type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent</p> <p>17. <input checked="" type="checkbox"/> Other: 6 sheets formal drawings</p>			
<p>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:</p> <p><input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: <u>09/314,614</u> Prior application information: Examiner <u>Hal V. Nguyen</u> Art Unit: <u>2142</u></p> <p>For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p>			
19. CORRESPONDENCE ADDRESS			
<input checked="" type="checkbox"/> Customer Number		20350	
		OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City	State	Zip Code	
Country	Telephone	Fax	
Name (Print/Type)	Philip H. Albert	Registration No. (Attorney/Agent)	35,819
Signature			Date <u>10/29/03</u>

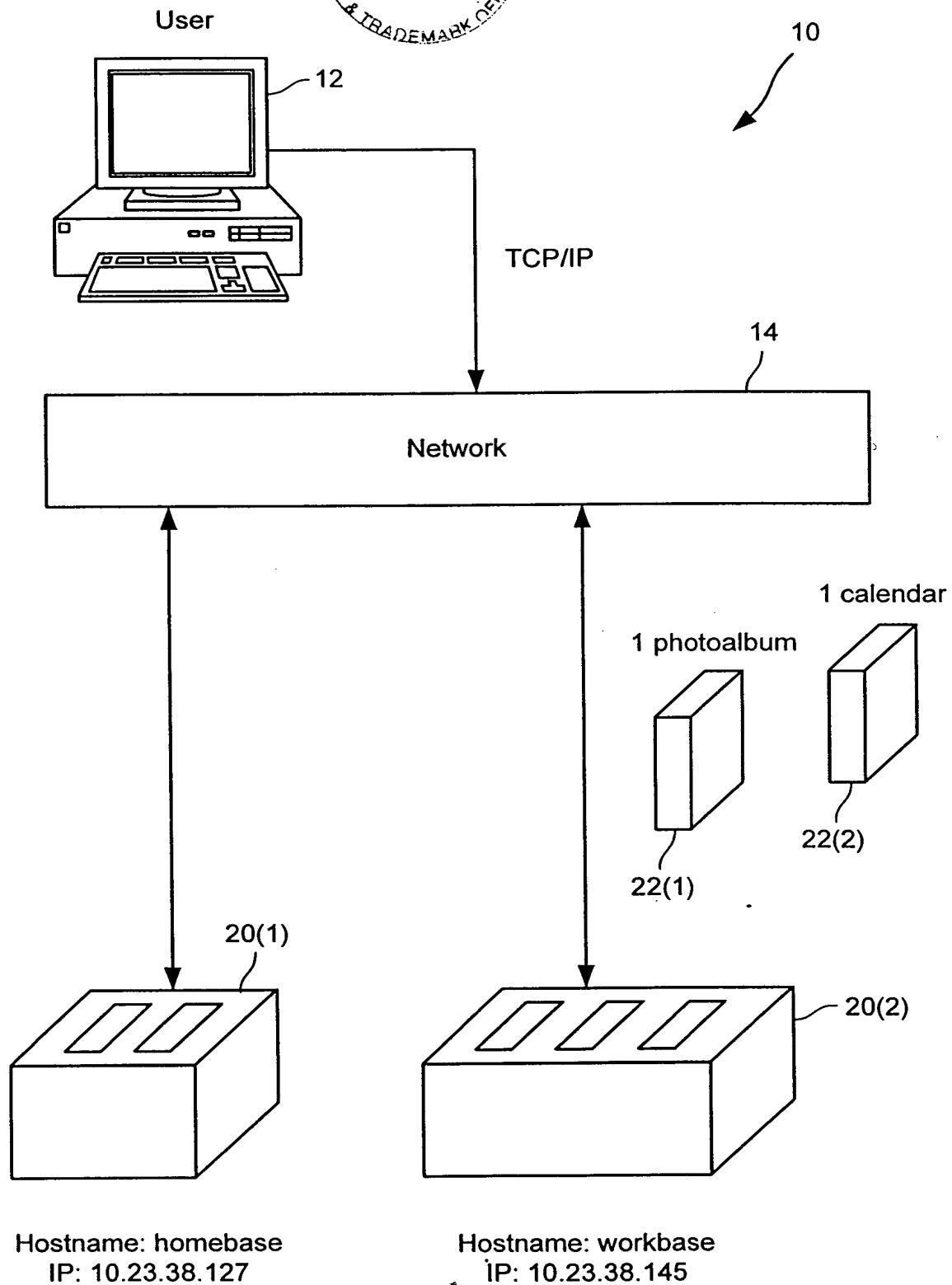


FIG. 1

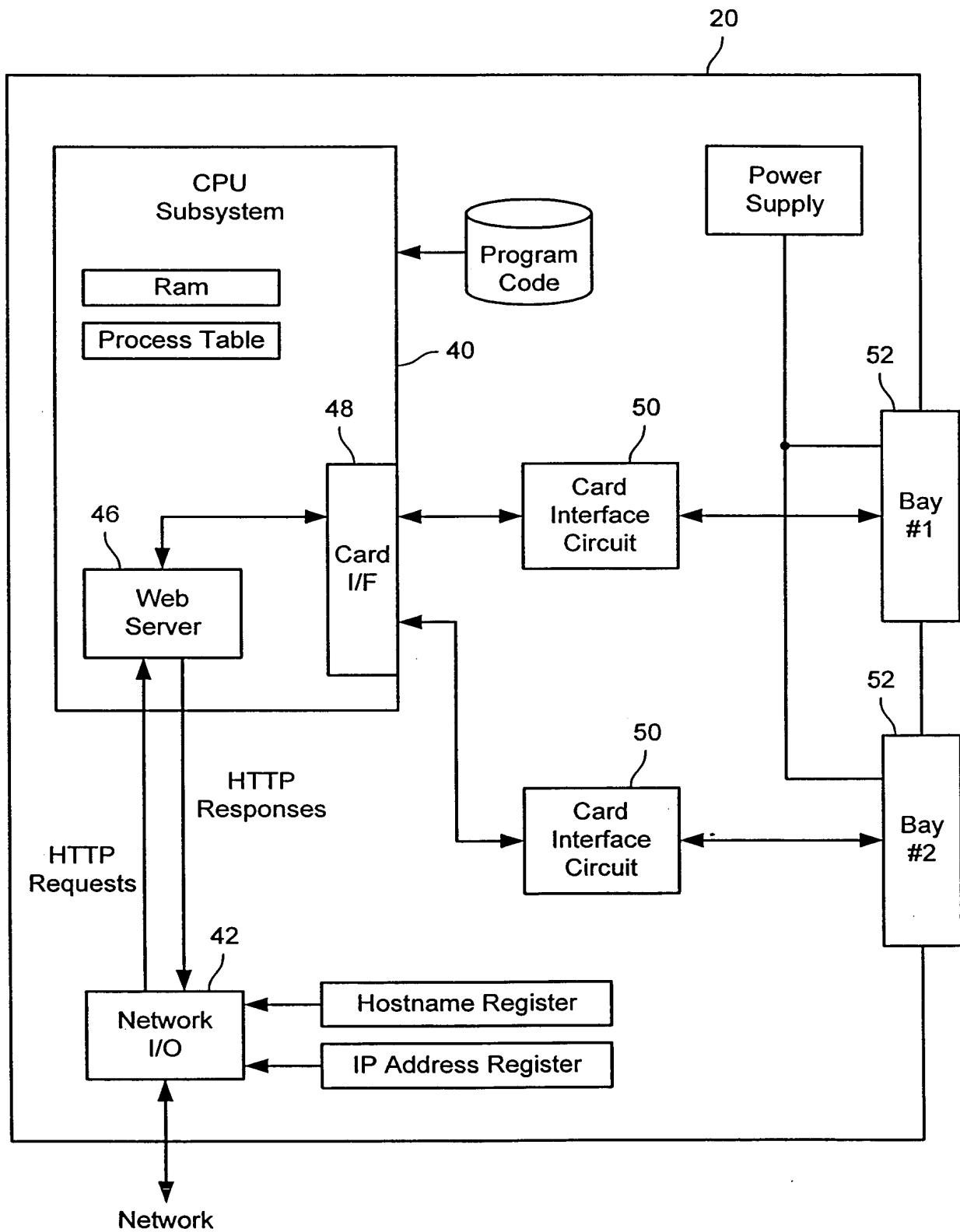


FIG. 2

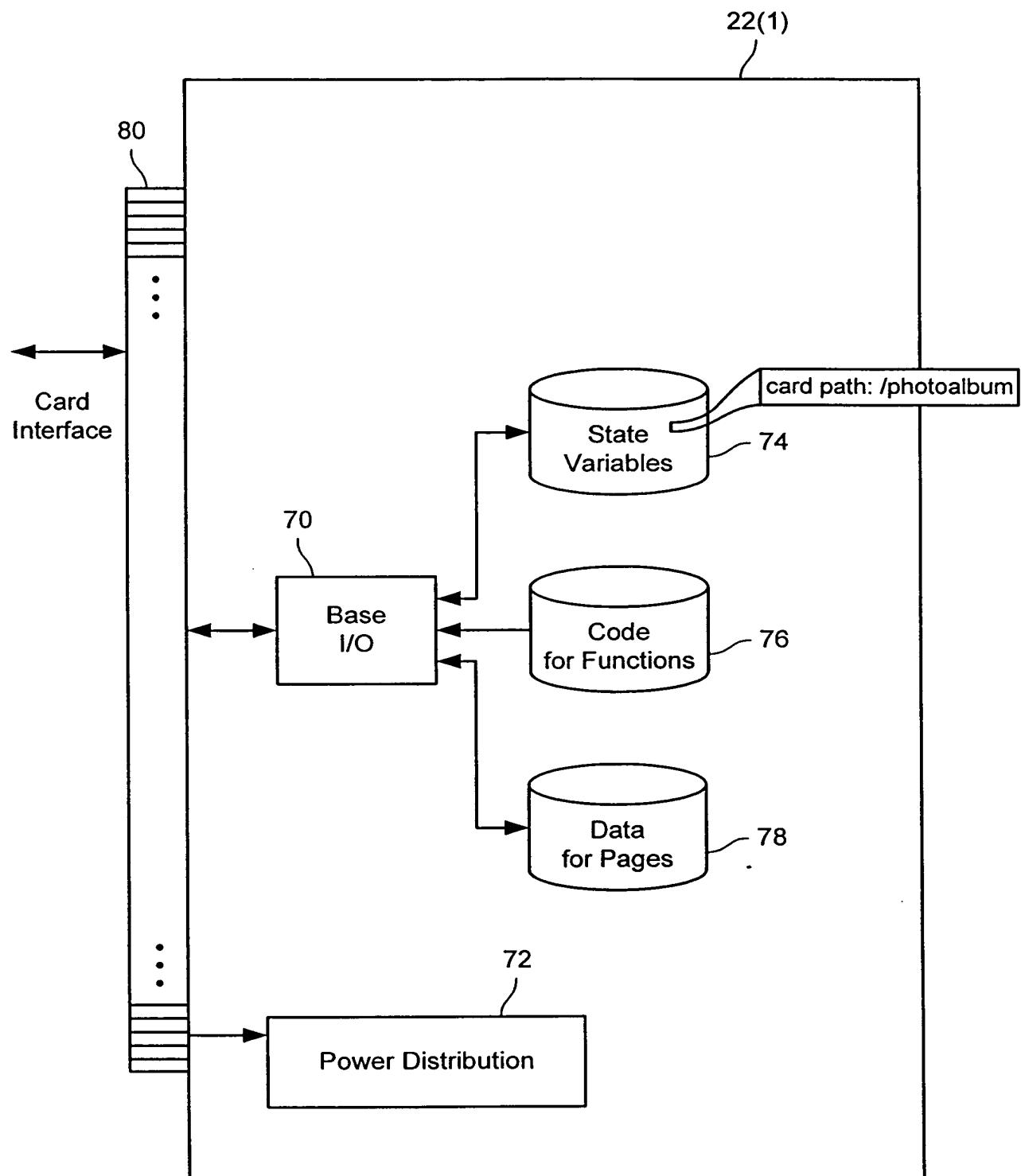


FIG. 3

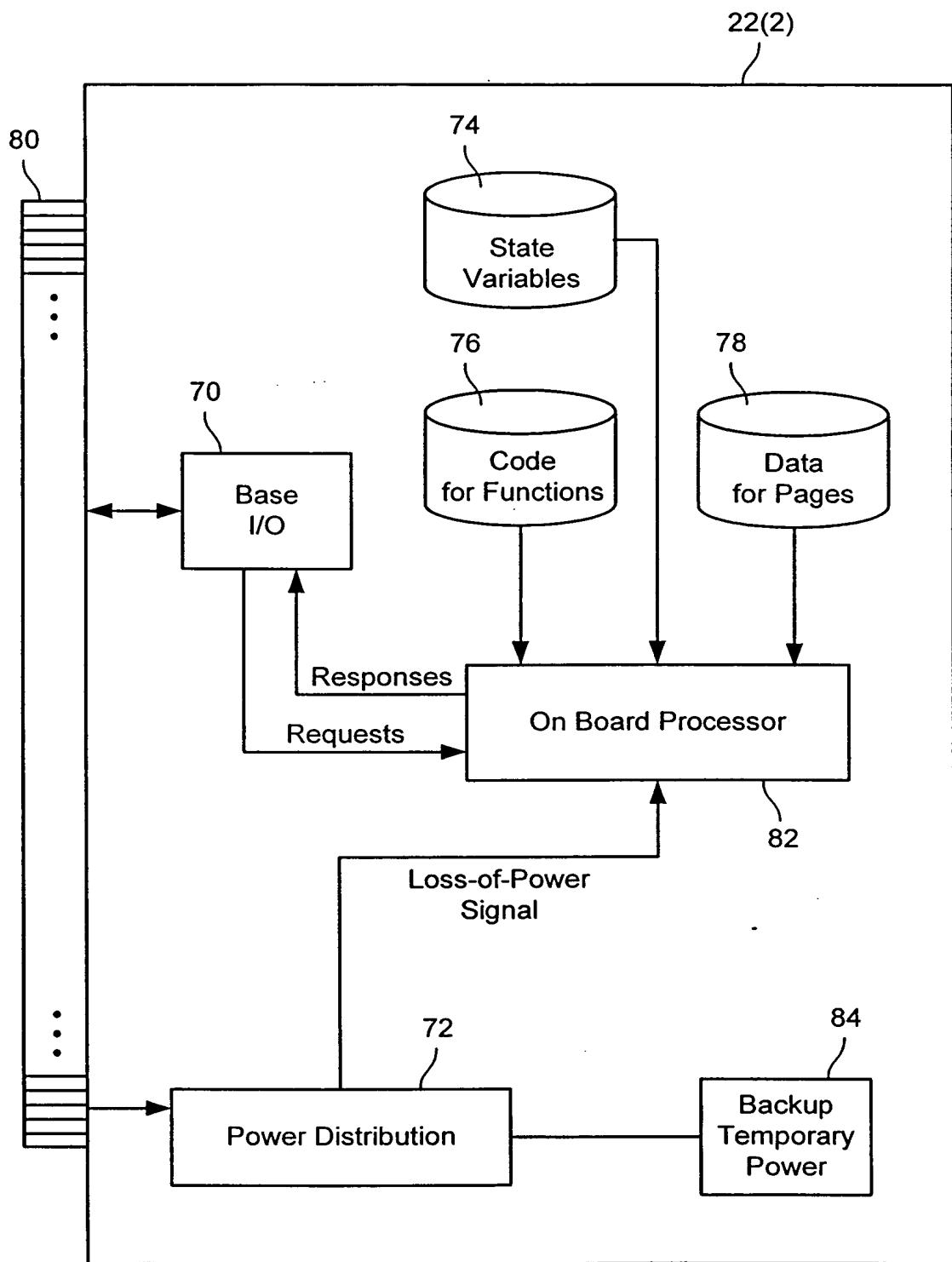
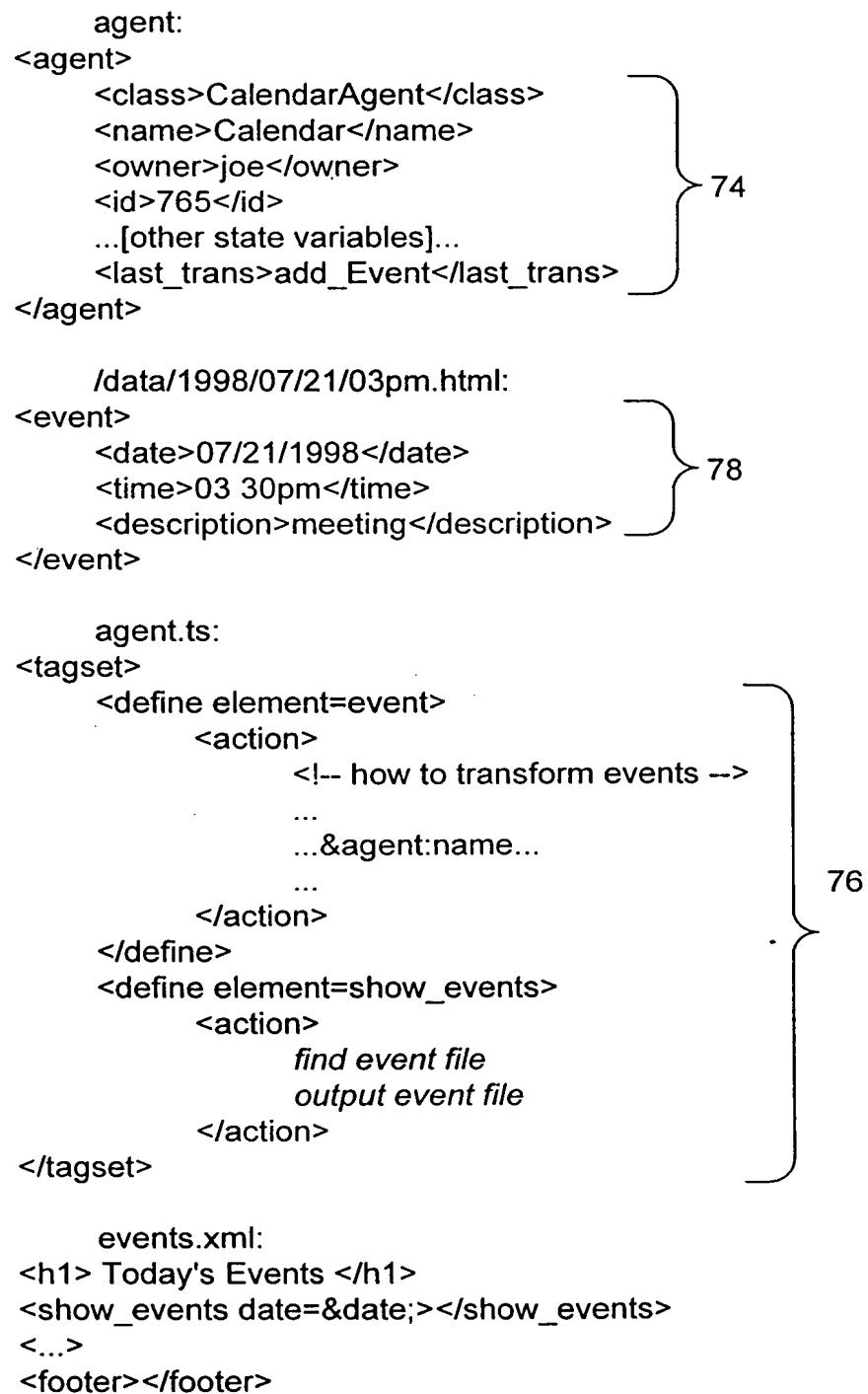


FIG. 4

```
agent:  
<agent>  
  <class>CalendarAgent</class>  
  <name>Calendar</name>  
  <owner>joe</owner>  
  <id>765</id>  
  ...[other state variables]...  
  <last_trans>add_Event</last_trans>  
</agent>  
  
/data/1998/07/21/03pm.html:  
<event>  
  <date>07/21/1998</date>  
  <time>03 30pm</time>  
  <description>meeting</description>  
</event>  
  
agent.ts:  
<tagset>  
  <define element=event>  
    <action>  
      <!-- how to transform events -->  
      ...  
      ...&agent:name...  
      ...  
    </action>  
  </define>  
  <define element=show_events>  
    <action>  
      find event file  
      output event file  
    </action>  
</tagset>  
  
events.xml:  
<h1> Today's Events </h1>  
<show_events date=&date;></show_events>  
<...>  
<footer></footer>
```



The code is annotated with several handwritten curly braces and arrows:

- A brace on the right side groups the entire `<agent>` block, with the number "74" written to its right.
- A brace on the right side groups the entire `<event>` block, with the number "78" written to its right.
- A large brace on the right side groups the entire `<tagset>` block, with the number "76" written to its right.
- A small brace on the right side groups the `<action>` block within the `<define element=event>` block.
- A small brace on the right side groups the `<action>` block within the `<define element=show_events>` block.
- A small arrow points from the `<action>` block within the `<define element=show_events>` block to the `find event file` and `output event file` lines.

FIG. 5

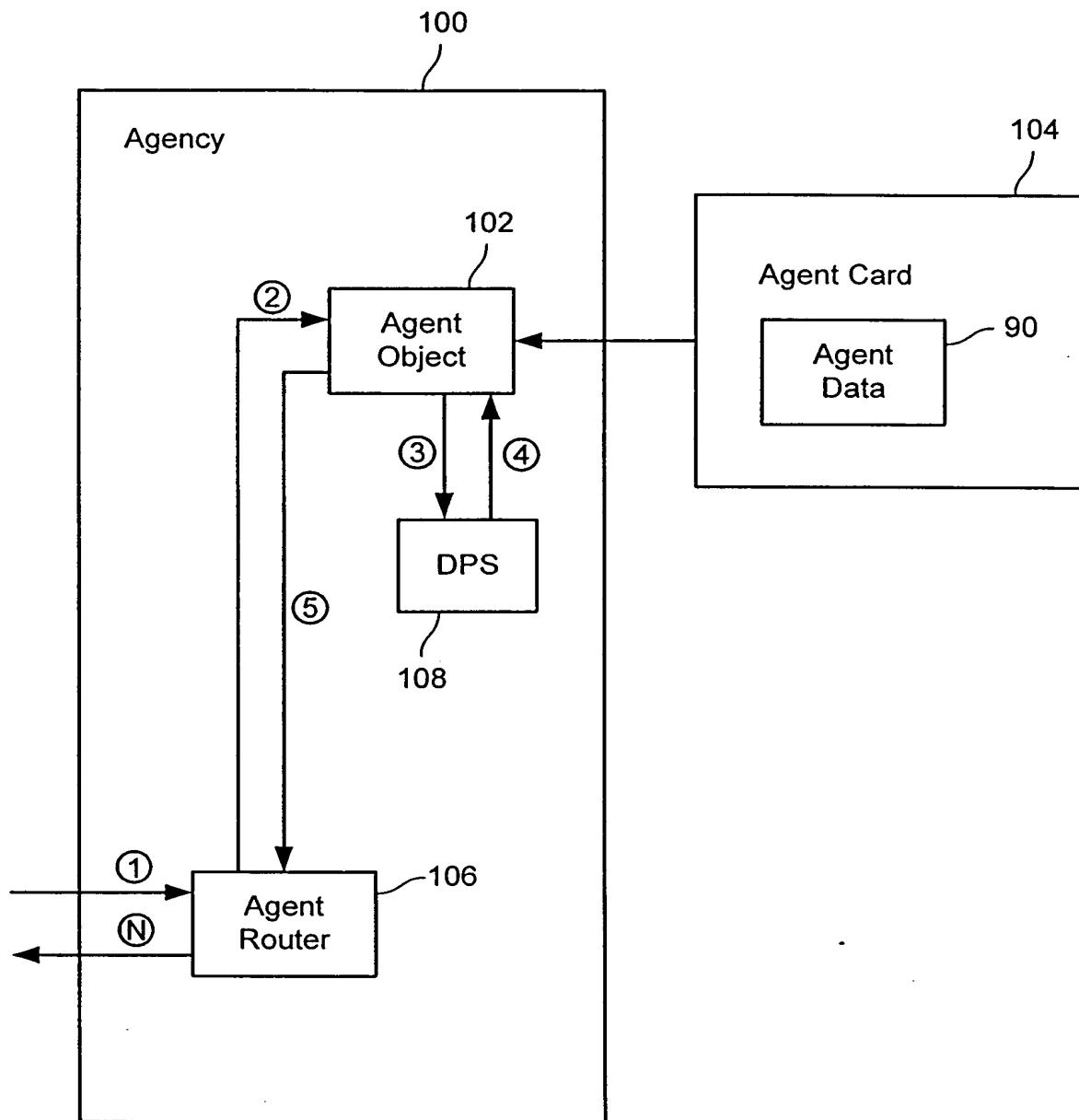


FIG. 6